

# **Exhibit 3**

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9 *Attorneys for Plaintiff*  
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10  
11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**

13 JUMP OPERATIONS, LLC,

14 Plaintiff,

15 v.

16 RICHARD WRIGHT MERRYMAN,

17 Defendant.

Case No.: 2:22-cv-00575-GMN-DJA

**DECLARATION OF JEFFREY A.  
WAKOLBINGER, ESQ. IN SUPPORT  
OF EMERGENCY MOTION FOR  
TEMPORARY RESTRAINING  
ORDER WITHOUT NOTICE IN  
ANTICIPATION OF FUTURE  
REQUEST FOR PRELIMINARY  
INJUNCTION**

19 I, Jeffrey A. Wakolbinger, hereby declare as follows:

20 1. I am a partner at Katten Muchin Rosenman LLP in Chicago, Illinois. I am  
21 over 18 years of age, and I have personal knowledge of the facts set forth below.

22 2. Attached as Exhibit 4 to Plaintiff's Motion for Temporary Restraining  
23 Order Without Notice in Anticipation of Future Request for Preliminary Injunction (the  
24 "Motion") is a true and correct copy of a printout of the webpage at <https://wormhole.com>  
25 made on March 29, 2022.

26 3. Attached as Exhibit 5 to the Motion is a true and correct copy of a printout  
27 of the registry information for the domain name wormhole.com made on March 29, 2022.  
28

1 Specifically, I went to the registrar's website at networksolutions.com/whois, typed  
2 "wormhole.com" in the search box, and created a PDF of the result returned from my  
3 search.

4 4. Attached as Exhibit 6 to the Motion is a true and correct copy of the "about  
5 us" page from the DomainAgents website (<https://domainagents.com/about-us>), created  
6 March 29, 2022.

7 5. Attached as Exhibit 7 to the Motion is a true and correct copy of the  
8 "Buyers" page from the DomainAgents website (<https://domainagents.com/how-it-works/buyers>), created March 29, 2022.

10 6. Attached as Exhibit 8 to the Motion is a true and correct copy of the  
11 "Sellers" page from the DomainAgents website (<https://domainagents.com/how-it-works/sellers>), created March 29, 2022.

13 7. Attached as Exhibit 9 to the Motion is a true and correct copy made March  
14 28, 2022, of a page from the "Support" page of the DomainAgents website, which was  
15 returned upon my clicking the question, "How does the payment and transfer of the  
16 domain happen when there is an agreement?"

17 8. Attached as Exhibit 10 to the Motion is a true and correct copy of the  
18 "Terms" page from the DomainAgents website (<https://domainagents.com/terms>),  
19 created March 28, 2022.

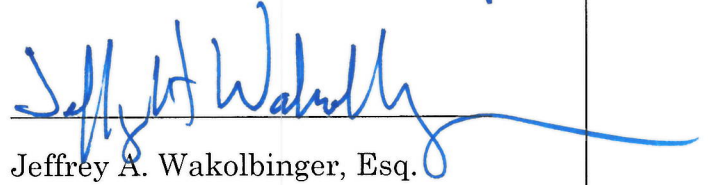
20 9. Attached as Exhibit 11 to the Motion is a true and correct copy made  
21 March 28, 2022, of a page from the "Support" page of the DomainAgents website, which  
22 was returned upon my clicking the question, "Are negotiations legally binding?"

23 10. I have not made any efforts to contact Defendant Merryman since being  
24 retained in this matter. Prior to our firm's engagement by Jump, Jump's in-house  
25 counsel sent letters to Mr. Merryman on July 21, 2021, and on September 2, 2021. I have  
26 been advised that Mr. Merryman has not responded to either letter. Given Mr.  
27 Merryman's failure to honor the agreement he reached with Jump, it is my opinion that  
28 Jump is justified in seeking a TRO without notice to Mr. Merryman. This will ensure

1 that the Wormhole Domain will be locked before Mr. Merryman can transfer it to  
2 another party and ensure he remains unable to transfer that domain name pending a  
3 hearing on Jump's motion for preliminary injunction.

4  
5 I declare under penalty of perjury that the foregoing is true and correct.

6 Executed April 6, 2022, in Chicago, Illinois.

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9 Jeffrey A. Wakolbinger, Esq.